

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451

AM

Mailed: May 27, 2009

Opposition No. 91184456

L'Oreal USA, Inc.

v.

Robert Victor Marcon

**Andrew P. Baxley, Interlocutory Attorney:**

On May 26, 2009, opposer filed a copy of its pretrial disclosures of witnesses that were apparently served on counsel for applicant, with the Board.

Opposer is advised that pretrial disclosures, like requests for discovery, responses thereto, and materials or depositions obtained through the disclosure or discovery process, should not be filed with the Board except when submitted (1) with a motion relating to disclosure or discovery; or (2) in support of or in response to a motion for summary judgment; or (3) under a notice of reliance during a party's testimony period; or (4) when permitted, during a party's testimony period. See Trademark Rule 2.120(j)(8).

In view thereof, the parties are advised that the

Board will give no further consideration to opposer's pretrial disclosures.

**NEWS FROM THE TTAB:**

The USPTO published a notice of final rulemaking in the Federal Register on August 1, 2007, at 72 F.R. 42242. By this notice, various rules governing Trademark Trial and Appeal Board inter partes proceedings are amended. Certain amendments have an effective date of August 31, 2007, while most have an effective date of November 1, 2007. For further information, the parties are referred to a reprint of the final rule and a chart summarizing the affected rules, their changes, and effective dates, both viewable on the USPTO website via these web addresses:

<http://www.uspto.gov/web/offices/com/sol/notices/72fr42242.pdf>  
[http://www.uspto.gov/web/offices/com/sol/notices/72fr42242\\_FinalRuleChart.pdf](http://www.uspto.gov/web/offices/com/sol/notices/72fr42242_FinalRuleChart.pdf)

By one rule change effective August 31, 2007, the Board's standard protective order is made applicable to all TTAB inter partes cases, whether already pending or commenced on or after that date. However, as explained in the final rule and chart, this change will not affect any case in which any protective order has already been approved or imposed by the Board. Further, as explained in the final rule, parties are free to agree to a substitute protective order or to supplement or amend the standard order even after August 31, 2007, subject to Board approval. The standard protective order can be viewed using the following web address:

<http://www.uspto.gov/web/offices/dcom/ttab/tbmp/stndagmnt.htm>